

Qatar (Tier 2)

The Government of Qatar does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Qatar remained on Tier 2. These efforts included collaborating with civil society in opening its first trafficking-specific shelter; repealing the problematic exit permit requirement for migrants covered under Qatari labor law; and employing its existing Grievance Committee to adjudicate exit permits for more than 1,000 domestic workers and other expatriates not currently covered under the labor law. In addition, it established e-visa centers in four primary labor sending countries—a total of 12 centers—in part to reduce instances of contract substitution, and it increased prosecutions of trafficking-related crimes. However, the government did not meet the minimum standards in several key areas. It did not report investigating or prosecuting any Qatari employers or recruitment agencies for forced labor. The government did not investigate for trafficking indicators among other related crimes such as passport retention, withholding of wages, labor violations, and complaints of abuse; and authorities reportedly arrested, detained, and deported potential trafficking victims for immigration violations, prostitution, or for fleeing their employers or sponsors. The government did not report identifying any trafficking victims or referring them for care.

PRIORITIZED RECOMMENDATIONS:

Increase the number of trafficking investigations, especially by investigating as potential crimes indicators such as passport retention, withholding of wages, labor violations, and complaints of abuse. • Increase efforts to prosecute trafficking offenses, particularly forced labor crimes, and convict and punish traffickers under the anti-trafficking law. • Cease the practice of converting potential trafficking crimes to labor law violations. • Undertake serious efforts to prevent penalization of trafficking victims by screening for trafficking among those arrested for immigration violations, prostitution, or those who flee abusive employers and face counter-charges and deportation. • Routinely apply formal procedures to proactively identify and refer to care victims of all forms of trafficking and institute regular trainings for all officials on how to employ these procedures. • Extend labor law protections and the suspension of exit permit requirements for all workers in the country, including domestic and expatriate government workers. •

Continue to implement reforms to the sponsorship system so it does not provide excessive power to sponsors or employers in granting and maintaining the legal status of migrant workers, for example, by removing the No Objection Certificate requirement for workers to change employers prior to the end of their contract period. • Develop standard operating procedures and institute trainings for officials to fully implement the 2018 domestic worker law. • Financially and logistically support the operationalization of the new shelters for male and female victims of trafficking. • Increase regular trainings for government officials on the identification of forced labor crimes, targeting the judicial sector and labor inspectorate. • Broaden implementation of the Labor Dispute Resolution Committees (LDRCs) to expedite cases pertaining to contract or employment disputes and refer suspected trafficking cases for criminal investigative proceedings. • Provide adequate staff and resources to manage the two existing Qatar Visa Centers, and open additional centers in critical countries, to reduce instances of contract substitution. • Ensure the Wage Protection System (WPS) covers all companies, including small and medium-sized companies, joint ventures, and foreign-owned companies. • Collect and report data pertaining to the number of victims identified and the services provided to them.

PROSECUTION

The government maintained overall anti-trafficking law enforcement efforts. The 2011 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed penalties of up to seven years' imprisonment and a fine of up to 250,000 Qatari riyal (\$68,680) for offenses involving adult male victims, and up to 15 years' imprisonment and a fine of up to 300,000 Qatari riyal (\$82,420) if the offense involved an adult female or child victim. Heads of recruiting agencies found guilty of trafficking faced up to five years' imprisonment and a fine of up to 200,000 Qatari riyal (\$54,950). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Under Law number 4 of 2009, the government criminalized the confiscation of workers' passports by a sponsor, punishable by a maximum fine of 25,000 Qatari riyal (\$6,870).

Despite numerous referrals of potential trafficking and trafficking-related cases to the Public Prosecution Office (PPO), the government did not prosecute any Qatari or foreign employers or recruitment agencies for forced labor under the anti-trafficking law. Although labor officials originally reported referring 109 cases

involving forced labor for prosecution in the previous year, the PPO ultimately converted these cases to non-payment of wages cases. However, it referred six sex trafficking cases to prosecutors during the current reporting period. One reported prosecution under the anti-trafficking law against a suspected sex trafficker remained ongoing for the second consecutive year. During the reporting period, the government convicted six sex traffickers and sentenced each of them to prison time between three and five years plus a deportation order following their obligated time served. Additionally, the PPO prosecuted thousands of trafficking-related cases exhibiting various trafficking indicators; namely, 2,852 cases against companies and individuals for unscrupulous hiring and employment practices, 1,164 cases of non-payment of wages, 67 cases of fraudulent visa selling, 43 cases of passport confiscation, and six cases of recruitment agencies operating illegally. However, it did not report prosecuting such suspects under the anti-trafficking act, but rather under Qatari labor laws. For illegal visa trading, the government administered the maximum sentence of three years in prison plus fines to the vast majority of perpetrators during the year. Additionally, for non-payment of wages cases, the government applied fines (2,000-6,000 Qatari riyal or \$550-\$1,650, multiplied by the number of unpaid workers) for all those in violation. One prosecutor within the PPO specialized in trafficking crimes, and the government remained without a dedicated police or prosecution unit, although it commenced development of the latter during the year via an official mandate. The Labor Dispute Resolution Committees (LDRC) received 6,161 complaints, from which resulted 1,339 judiciary verdicts (up from 763 the previous period), 93 out-of-court settlements, and 1,088 archived grievances due to incomplete evidence. In more than 70 percent of total workplace complaints, the government reported it issued verdicts in favor of the employees vice their employers; however, the government did not report investigation of potential trafficking indicators within these cases or their subsequent referral to PPO for criminal prosecution. The law mandated the LDRCs must reach resolution within three weeks for any contract or labor dispute, which aimed to help reduce the heavy financial burdens placed on laborers often left without income or housing while waiting on case closure. In addition, the government reached settlements in 197 other cases mostly pertaining to non-payment of wages. In 2018, the government enforced the law prohibiting passport retention by prosecuting 43 cases, compared to 53 in 2017. However, the government did not investigate such instances as potential trafficking offenses. The government did not report investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses.

Several government entities did not routinely categorize forced labor or exploitative working conditions—particularly of domestic workers—as human trafficking, but rather as criminal assaults and immigration or labor law violations. Prosecutors almost universally used the Qatari penal code to address trafficking crimes rather than the anti-trafficking law due to higher likelihood of successful prosecution under charges that were easier to prove. Consequently, authorities rarely punished trafficking offenders with dissuasive penalties and instead prosecuted victims regularly for immigration and prostitution, rather than identifying them as trafficking victims and referring them to care. The government lacked a clear and efficient judicial process to prosecute trafficking offenses or enforce labor law violations, and its primary solution for resolving labor violations continued to be a transfer of employer sponsorship, mandated back payment of wages and fines, and blacklisting of companies, with limited efforts to investigate whether the violations constituted forced labor.

As in previous years, government entities financed and conducted specialized trainings on trafficking issues. The government continued its coordination with several international organizations and civil society stakeholders to improve training programs for federal employees in trafficking-related disciplines, and the police training institute of the Ministry of Interior (MOI) conducted courses and workshops for officers and staff who investigate and work on trafficking cases. Qatar University's Law Clinic conducted training related to human trafficking at the local police training center. In addition, Qatar concluded its multi-year training program with an international organization on combating trafficking and held four trafficking trainings in 2018. The Ministry of Justice's Center for Judicial and Legal Studies partnered with a foreign government and an international organization to organize a workshop entitled "Combating Trafficking in Persons and Forced Labor in Qatari Laws," attended by roughly two dozen representatives from various government entities who discussed challenges inherent to implementation of the anti-trafficking law.

PROTECTION

The government increased its protection efforts. Similar to the previous reporting period, the government did not report identifying any trafficking victims or referring them for care, although it did report assisting 219 potential trafficking victims in its shelters, all of whom were expatriate women, and improved its institutional capacity to protect victims. During the reporting period, the

government signed collaborative agreements with local civil society to assist in running the daily operations of six 20-person capacity villas specifically designated for both male and female trafficking victims and allocated a budget of 3 million Qatari riyal (\$824,180). It also consulted two foreign NGOs regarding best practices and standard operating procedures for establishing and operating trafficking shelters. The government partnered with an international organization and foreign officials to organize a two-day workshop for shelter service providers designed to ensure the adequacy of protective provisions. The government-funded Aman Protection and Social Rehabilitation Center shelter continued to provide basic medical care, social services, psychological treatment, housing, rehabilitation, repatriation assistance, and reintegration for female and child victims of domestic abuse, including female workers who fled their sponsors. The shelter had a budget of 15 million Qatari riyal (\$4.12 million). Victims possessed the right to leave of their own volition without supervision, although chaperones were on-call in the event security was needed. Victims were also able to access the shelter even if their employers filed charges against them. Several foreign diplomatic missions ran all-purpose shelters for their female nationals, which trafficking victims also used.

Government shelter officials did not customarily use established protocols to proactively screen vulnerable individuals for trafficking indicators. Some officials reportedly used a manual to proactively identify human trafficking victims, but law enforcement personnel and other government entities did not report proactively screening for any trafficking indicators among domestic workers, a vulnerable population typically isolated and mostly excluded from protections under labor laws. Authorities revised the national victim referral system to coordinate victim identification and referral efforts between government authorities and NGOs; the referral system included the provision of shelter, health care, and legal assistance to trafficking victims. The Supreme Committee for Delivery and Legacy (SCDL) conducted extensive interviews with workers to identify potential trafficking victims who had paid recruitment fees prior to arrival in Qatar, which numbered at more than 1,200 at the end of 2018. At the close of the current reporting period, the SCDL reimbursed roughly \$20 million to laborers to cover their unlawful recruitment fees, blacklisted six employment agencies as a result of its internal auditing process, and placed 106 additional contractors on a special watch list. Although the SCDL targeted more than 16,000 workers for the recruitment fee

payback initiative, it did not classify any workers specifically as trafficking victims from among this population.

Systemic hurdles continued to limit victim protection and impeded access to justice. The March 2018 Domestic Worker Law stipulated that domestic workers were required to have government-verified contracts; receive adequate employer-provided food, accommodation, medical benefits, one day off per week, limited 10-hour workdays, sick leave, return flight tickets once each year, three weeks paid vacation per year, and full end-of-service payments; guaranteed access to the new dispute resolution committees to resolve workplace grievances; and allowances to leave their employers in cases of exploitation or violation of contract terms. However, at the close of the current reporting period, enforcement and knowledge of the law remained very low, thereby leaving significant vulnerabilities to forced labor among this population and victims without care or justice.

The government regularly charged and deported victims for contravening Qatari labor and immigration laws. The Qatari legal system lacked adequate privacy laws to protect victims against potential retribution and often did not provide adequate assistance or protection for victims during legal proceedings. Victims who lodged complaints were sometimes the subject of spurious counter-charges by their respective employers that resulted in administrative deportation proceedings. Officials stated that absconding charges were not considered until after the resolution of labor disputes, but advocates and foreign officials in the country noted, in practice, some workers experienced difficulty in surmounting the burden of such charges. Police often detained workers without legal status for immigration violations and fleeing their employers or sponsors, including potential trafficking victims. Police sometimes detained workers for the failure of their sponsors to register employees or renew their residency documents as required by Qatari law. Authorities also charged an unreported number of potential sex trafficking victims with zina (sex outside of wedlock) and subsequently deported them. The government generally encouraged victims to testify against their traffickers by providing free legal counseling and allowing them to pursue financial compensation; it provided free legal services for 12 cases taken to court, including some potential trafficking cases, during the reporting period.

In September 2018 the Amir signed Law No.13 for 2018, which legally granted the vast majority of expatriate workers covered under the labor law the right to depart the country without employer approval during the course of an employment

contract. However, employers still possessed the right to designate as critical no more than five percent of their workforce, who required permission prior to exiting the country, and Law No.13 of 2018 did not cover domestic workers and government expatriate workers. During the year, the MOI Grievance Committee evaluated and adjudicated employer refusals against workers not fully covered under Qatari labor laws or Law No.13 of 2018—domestic workers and expatriate government employees—to grant their employees exit permits. In 2018, the Grievance Committee reviewed 1,869 requests to overturn the employer refusals of an exit permit, of which the MOI approved 1,850, giving a vast number of vulnerable employees permission to leave the country. The government assisted workers who wished to prematurely terminate their contracts and transfer employers, or return to their respective countries of origin, in the event of employment malfeasance. The government reported the transference of 5,094 workers after reports of abuse or other contract violations, which is a significant decrease from the 10,485 workers transferred in 2017 and an increase from 1,784 transferred in 2016. The MOI's Search and Follow Up and Human Rights departments coordinated with embassies to provide 11,775 return tickets to assist in the repatriation of migrant workers, including potential trafficking victims. The government reported it did not deport those who faced harms or abuse in their country of origin.

PREVENTION

The government continued robust efforts to prevent trafficking in persons. The national anti-trafficking committee collected inputs from a foreign government, Qatar University's Law Clinic, and two international organizations to re-draft its national strategy to combat trafficking, which spanned 2017-2022 and prioritized prevention, protection, prosecution, and regional and international cooperation. For the first time, the government also compiled comprehensive research and released its own human trafficking report on Qatar. This report highlighted relevant laws, case statistics, and a primary list of recommendations for the government to address over the coming year. In 2018, the government placed more than 12 articles in local news outlets focused on trafficking to raise awareness among the general populace. The government-funded Aman Center continued to promote awareness campaigns on various forms of abuse, including trafficking, and outlined where to receive help; these campaigns targeted women, domestic workers, and employers. The Slavery Museum in Doha—part of a government museum consortium—hosted regular visits from school groups and others, and

held public ceremonies to highlight trafficking issues that received wide local press coverage. The government maintained its publication of manuals for expatriates in Arabic, English, and several labor exporting country languages on proactive victim identification, domestic worker rights, and ways to combat trafficking in Qatar. It continued to publish and disseminate “worker rights” pamphlets in English, Arabic, Hindi, Bengali, Nepali, and Tagalog that contained relevant articles from the labor and sponsorship laws. Qatar Airways sponsored a joint training with an international organization for airline crew members to better identify potential trafficking victims onboard aircrafts. Furthermore, in partnership with an international organization, in October 2018 government entities produced a major conference on fair recruitment to help curb the charging of fees by unscrupulous recruiters. The SCDL, in conjunction with private sector firms in the hospitality and construction industries, held public dialogues to discuss effective ways to protect workers from the threat of trafficking. Officials maintained multiple hotlines for use by vulnerable migrant worker populaces, to include trafficking victims; as in the previous year, the government did not report how many calls any line received during the reporting period. The government made discernible efforts to reduce the demand for commercial sex acts and forced labor. The quasi-governmental Qatar Foundation and the Qatar 2022 Supreme Committee published workers’ mandatory standards documents, which injected workers’ rights into corporate social responsibility to provide contractual incentives to contractors and subcontractors to follow the labor law and general Islamic principles or risk losing lucrative, multiyear projects. The government’s Diplomatic Institute held a train-the-trainer style course that provided information about legal employer obligations for Qatari diplomats posted abroad.

During the latter half of 2018, the Ministry of Development, Labor, and Social Affairs (MADLSA) conducted 496 inspections of recruitment companies, which resulted in the issuance of warnings to 19 agencies and the cancellation or revocation of the licenses of nine agencies that MADLSA’s routine monitoring mechanism found to be noncompliant with Qatari labor law. The government did not report if it criminally investigated, prosecuted, or convicted any of these companies, or their owners or staff. It also signed a memorandum of understanding with a foreign government that focused on labor inspections writ large, complaint and referral mechanisms for domestic workers, and awareness raising on employer rights and responsibilities. During the reporting period, the government formally opened the ILO office in Doha to strengthen anti-trafficking operating capacity and

generate sustainable labor reform efforts throughout Qatar. Committing itself to the ILO landmark agreement, signed during the previous year, the Qatari Cabinet created a new Supreme Committee for ILO Agreement Implementation, which included undersecretaries from all relevant government bodies to solely oversee the implementation of the activities contained therein. The government continued its rollout of the Wage Protection System (WPS), which requires employers to pay workers electronically and increases penalties for labor code contraventions. Officials blacklisted more than 14,000 companies for being in violation of the WPS, as compared to the blacklisting of 18,000 companies in the previous reporting period. The government received 450 domestic worker complaints, of which 258 involved delayed payments and 131 were related to denial of other employment benefits; however, authorities did not report referring any potential trafficking cases flagged by the WPS for criminal investigation. The government continued to address recruitment issues and worker rights through 50 bilateral agreements and five memoranda of understanding with labor-sending countries, and it worked with individual countries to certify vetted labor recruitment offices to reduce fraud or excessive debts that may lead to forced labor conditions.

In November 2018, the government opened its inaugural Qatar Visa Center (QVC) in Sri Lanka followed by the opening of two additional offices in Pakistan and two in Bangladesh by the year's end. At the beginning of April seven centers opened in India. The centers were responsible for finalizing all procedural elements pertaining to recruitment, including fingerprinting, medical examinations, verifying educational certificates, signing contracts in local languages, issuing Qatari residency permits prior to source country departure, conducting rights awareness training, and opening bank accounts for workers. The QVCs aimed to reduce instances of contract bait-and-switch, in which recruiters lured workers under one contract in home countries and subsequently forced them to sign new ones with lower wages once in Qatar. Under this new system, one unified contract was concurrently filed abroad and in Qatar. At the close of the reporting period, officials commenced plans to roll out new QVCs in six additional countries; in total, the eight countries comprised 80 percent of the total workforce in Qatar.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Qatar. Men and women from Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Sri Lanka, Sudan, Kenya, Nigeria, Uganda, and other countries

voluntarily migrate to Qatar as unskilled laborers and domestic workers, often paying illegal and exorbitant fees to unscrupulous recruiters in the labor-sending countries, thereby increasing their vulnerability to debt bondage. Some workers subsequently face conditions indicative of labor trafficking, to include restricted movement, payment withholding, denial of employment-associated benefits, passport confiscation, exit permit retention, threats of deportation, and, in a small number of cases, threats of serious physical or financial harm or physical, mental, and sexual abuse. In addition, traffickers force some women who migrate for other employment offers to work in prostitution. Instances of delayed or unpaid salaries continue to be a leading indicator of forced labor in Qatar.

Qatar's unskilled migrant workers continue to comprise the largest group at risk of trafficking, while domestic workers remain the most vulnerable. Recruiters in labor-source countries and employers in Qatar continued to exploit widespread economic migration to prey on workers. In some cases, migrant workers reportedly pay inflated fees to recruiters in their home countries, and some predatory recruitment agencies in labor-sending countries lure foreign workers to Qatar with fraudulent or, upon arrival, vastly disparate employment contracts that bear no legal consideration in Qatar, rendering workers vulnerable to forced labor once in the country. Among foreign workers, female domestic workers are particularly vulnerable to trafficking, as Qatar's culture of privacy can lead to isolation in private residences because officials lack authority to enter them. Additionally, individuals in Qatar sell "free" visas to migrants and occasionally demand regular payments, enabling migrant workers to work illegally and without legal recourse against their respective sponsors. Many businesses fail to pay their employees in a timely manner, or at all, forcing workers to choose between leaving the country with heavy debts in the absence of fair compensation, or staying in Qatar with the hope of eventually being paid.

Qatar's employment-based sponsorship system, which is undergoing significant reform, currently places control disproportionately in the hands of employers, who have unilateral power to cancel residence permits, prevent workers from changing employers and, up until the current reporting period, deny permission to leave the country. Debt-laden migrants who face abuse or are misled often avoid reporting their exploitation due to fear of reprisal or deportation, the protracted recourse process, or lack of knowledge of their legal rights, thereby exacerbating or prolonging their forced labor situation. Many migrant workers often live in confined, unsanitary conditions, and many complain of excessive working hours

and hazardous working conditions. Reports allege the vast majority of expatriate workers' passports were in their employers' possession, despite laws against passport confiscation.